

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

Docket No.  
D9359BTotal Pages in this Submission  
19

(Only for new nonprovisional applications under 37 CFR 1.53(b))

## TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

Apparatus and Methods for Washing the Cored Areas of Lettuce Heads During Harvest

and invented by:

Richard S. Brown;  
Eugene D. Rizzo

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/692,273

Which is a:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/295,438

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Enclosed are:

## Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 6 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

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## Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☒ Formal Number of Sheets 8
- b. ☐ Informal Number of Sheets \_\_\_\_\_
4. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy) ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail (Specify Label No.): EH350885166US

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Total Pages in this Submission  
19

17. ☐ Additional Enclosures (please identify below):

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18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
D9359B

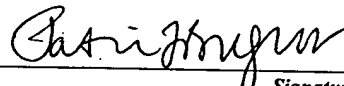
Total Pages in this Submission  
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**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	14	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	1	- 3 =	0	x \$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$770.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$770.00

- ☒ A check in the amount of **\$770.00** to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **02-3823** as described below.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

  
Signature

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Dated: December 3, 2003

cc:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of RICHARD S. BROWN

Serial No.

Examiner: Mr. Frankie L. Stinson

Filed: October 19, 2000

Art Unit: 1746

For: APPARATUS AND METHODS FOR WASHING THE  
CORED AREAS OF LETTUCE HEADS DURING  
HARVEST

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Before acting on this application on the merits, please cancel claims 1-59 and add the following new claims 60-73. Please amend the specification to read as follows.

IN THE SPECIFICATION

Please add the following on page 1, before line 1:

--This application is a continuation of Application Serial Number 09/692,273, filed on October 19, 2000, which is a divisional of Application Serial Number 09/295,438, filed on April 20, 1999.--

### IN THE CLAIMS

Please cancel claims 1-59. Please add new claims 60-73 as follows:

60. An apparatus for washing a plurality of cored heads of corable green leafy vegetables comprising:

a conveyer for said heads comprising at least one cored head holder;  
and

a wash spraying system for said cored heads attached along said conveyer, said wash spraying system located outside the cores of said cored heads of lettuce and comprising at least one wash spray nozzle positioned to deliver wash spray comprising field temperature water to said cores on said at least one cored head holder from a location substantially outside said cores.

61. The apparatus of claim 60 wherein said head holder comprises outward facing vanes.

62. The apparatus of claim 60 wherein said head holder comprises a ring.

63. The apparatus of claim 60 wherein said head holder comprises a spike.

64. The apparatus of claim 60 wherein said wash spraying system comprises:  
a tank for holding a wash liquid and a pump connected to said at least one nozzle;

said pump delivering said wash liquid under pressure to said at least one nozzle.

65. The apparatus of claim 60 wherein said wash spraying system also comprises:

a determiner of a level of said wash liquid in said tank, inlet valve, and a reservoir for said wash liquid;

said determiner connected to said valve;

said inlet valve also connected to said reservoir containing said wash liquid.

66. The apparatus of claim 64 or claim 65 wherein said at least one nozzle delivers said wash liquid at a high pressure and a low volume.

67. The apparatus of claim 64 further comprising at least two nozzles, at least one of which delivers said wash liquid at a first pressure and a first volume, and at least one of which delivers said wash liquid at a second, lower pressure than said first pressure, and a second, higher volume than said first volume.

68. The apparatus of claim 60 wherein said wash spraying system dispenses an aqueous liquid.

69. The apparatus of claim 60 wherein said wash spraying system dispenses an aqueous liquid washing spray.

70. The apparatus of claim 60 wherein said wash spraying system further comprises a pressurizable chamber and at least one controller for controlling wash liquid flow into said pressurizable chamber.



71. The apparatus of claim 60 wherein said wash spraying system further comprises at least one chamber and wash liquid flow from said chamber into the core hole of a cored head supported by said holder.
72. The apparatus of claim 60 wherein said wash spraying system further comprises at least one system for releasing a head from said holder.
73. The apparatus of claim 60 further comprising at least one timer to control the time of a wash cycle, and the time interval between one wash cycle and another wash cycle.

REMARKS

Please enter this amendment before acting on this application on the merits for the first time. Applicants' claimed devices position at least one wash spray nozzle outside the cores of the corable heads during washing, and deliver wash spray comprising field temperature water for core washing. Supporting claims 60-73, the specification, at page 1, lines 12-13, states the following:

"The invention is an apparatus and method for washing a plurality of cored lettuce heads as they are harvested in the field."

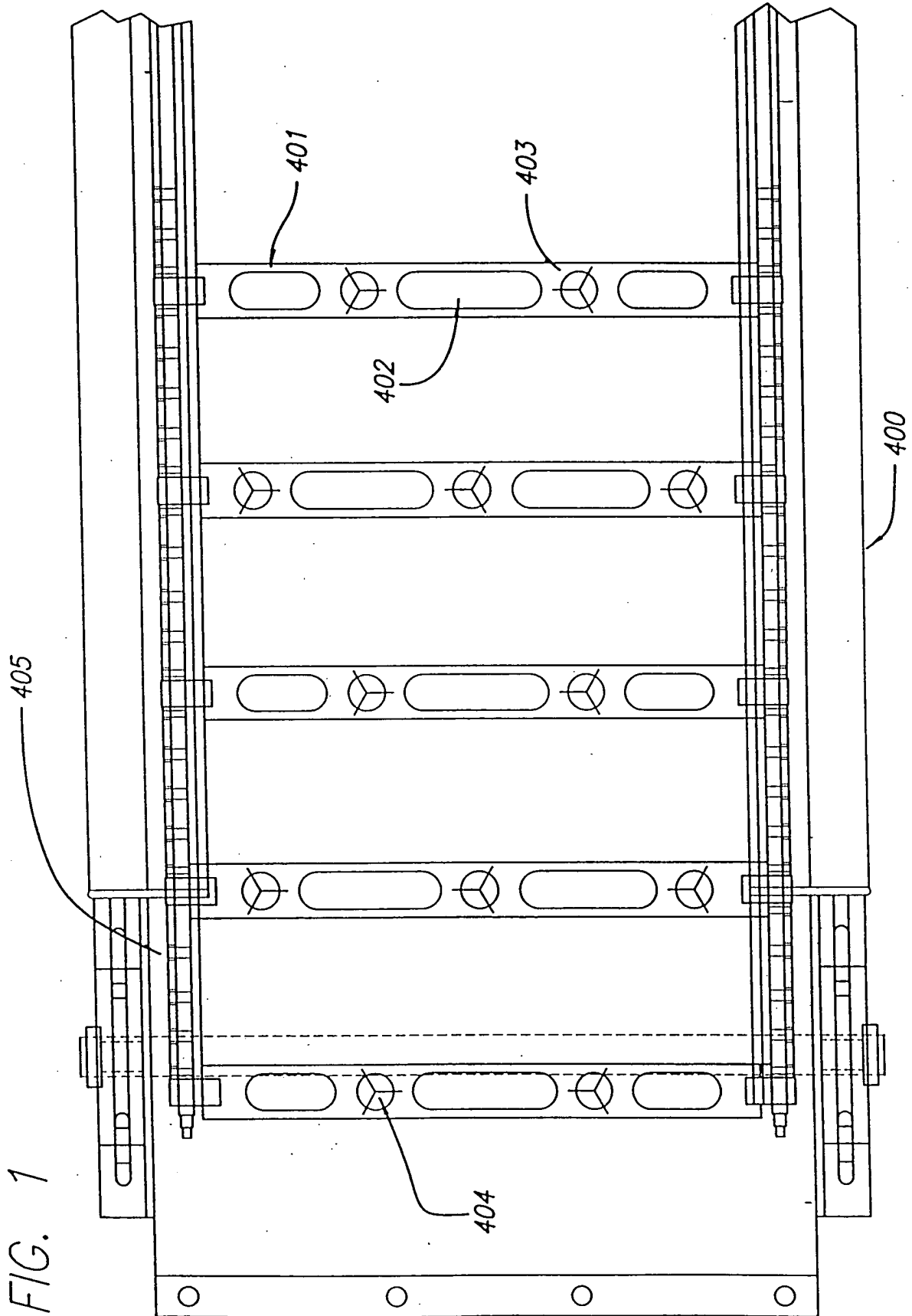
Respectfully submitted,

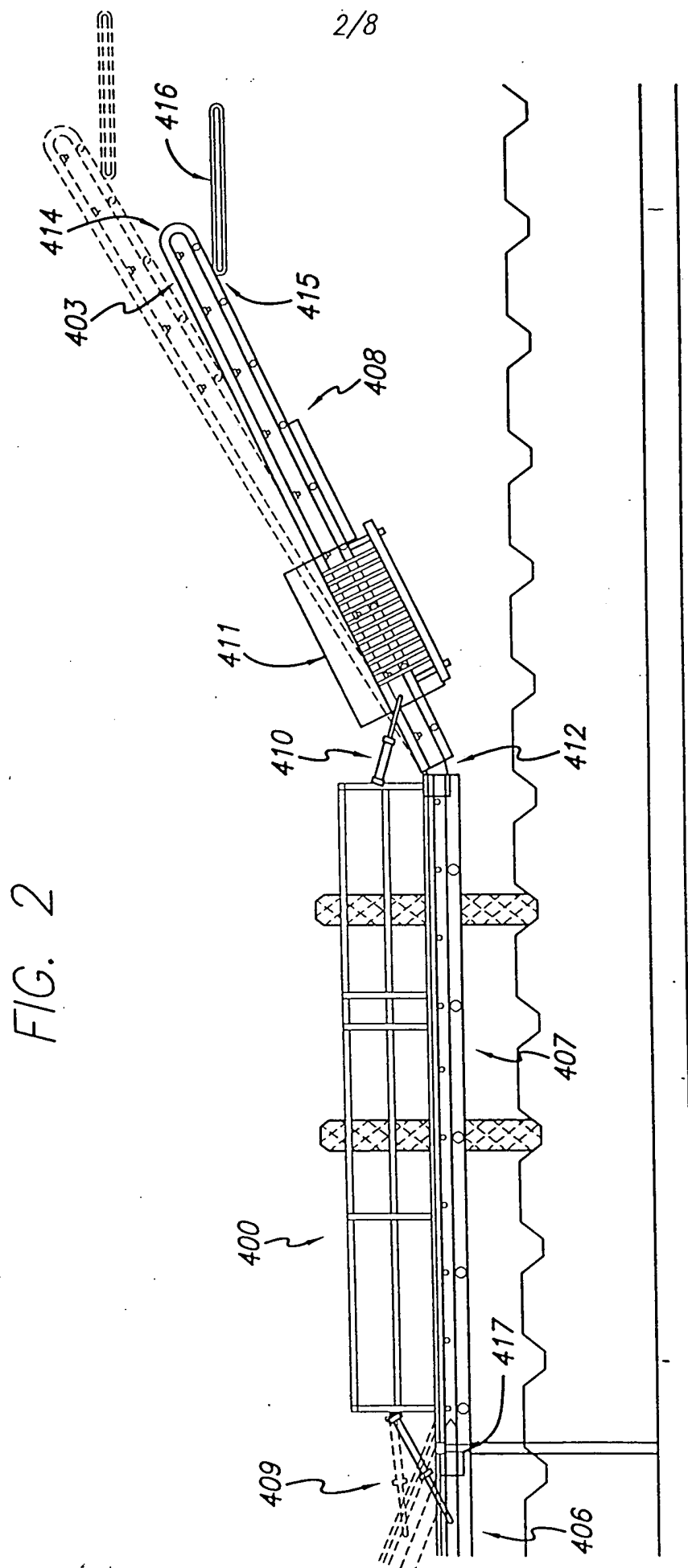


Dated: December 3, 2003

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FIG. 1





3/8

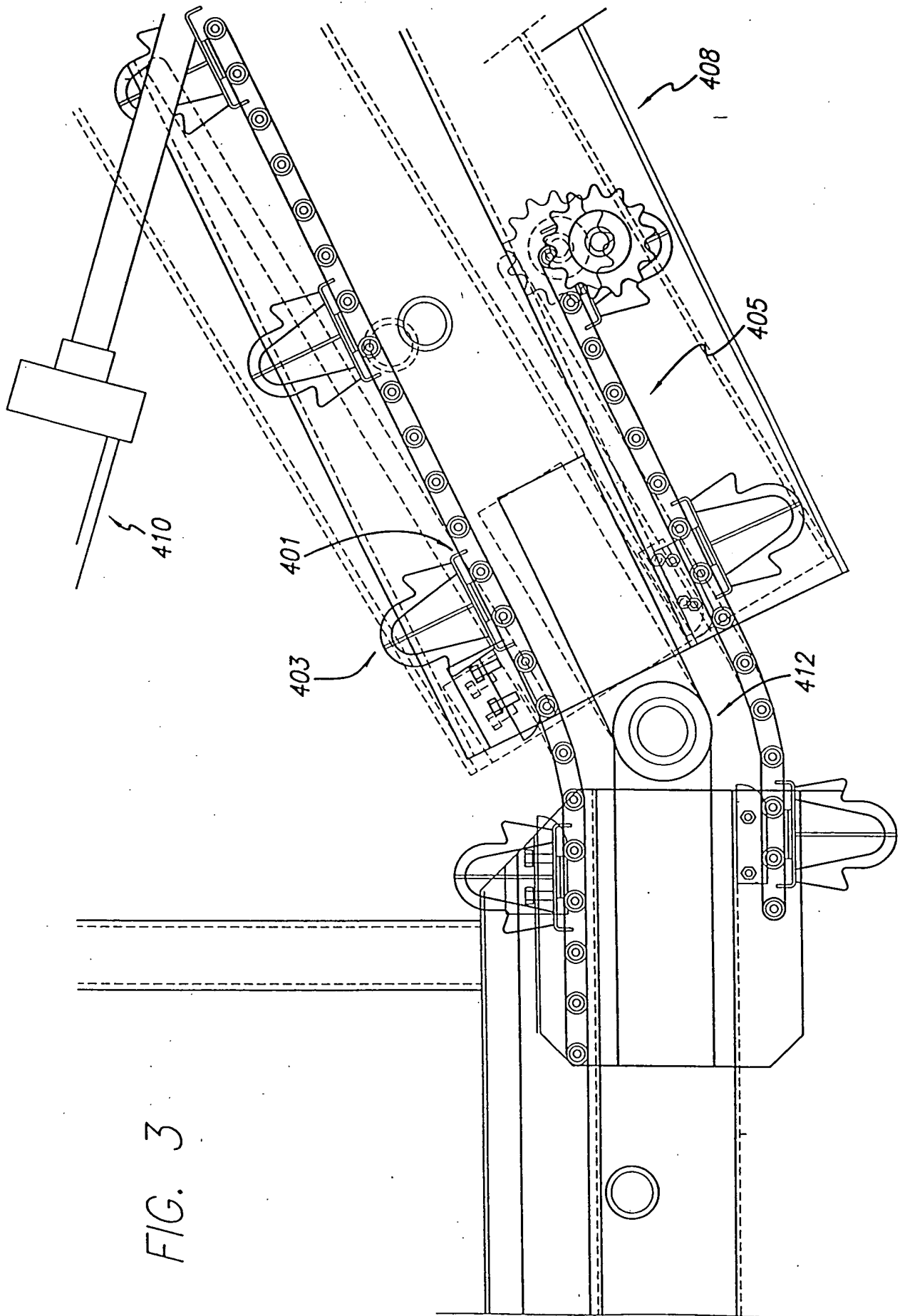


FIG. 3

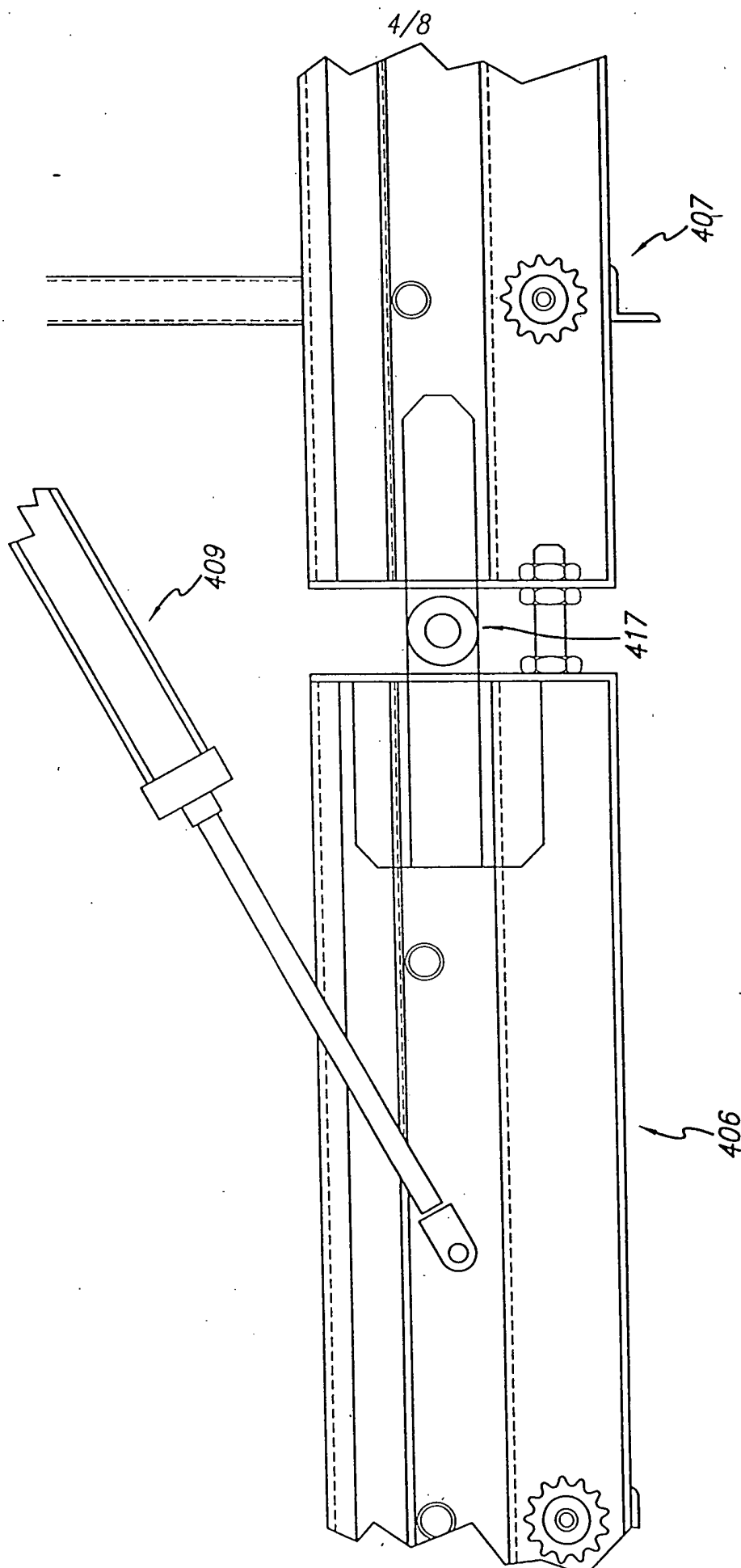


FIG. 4

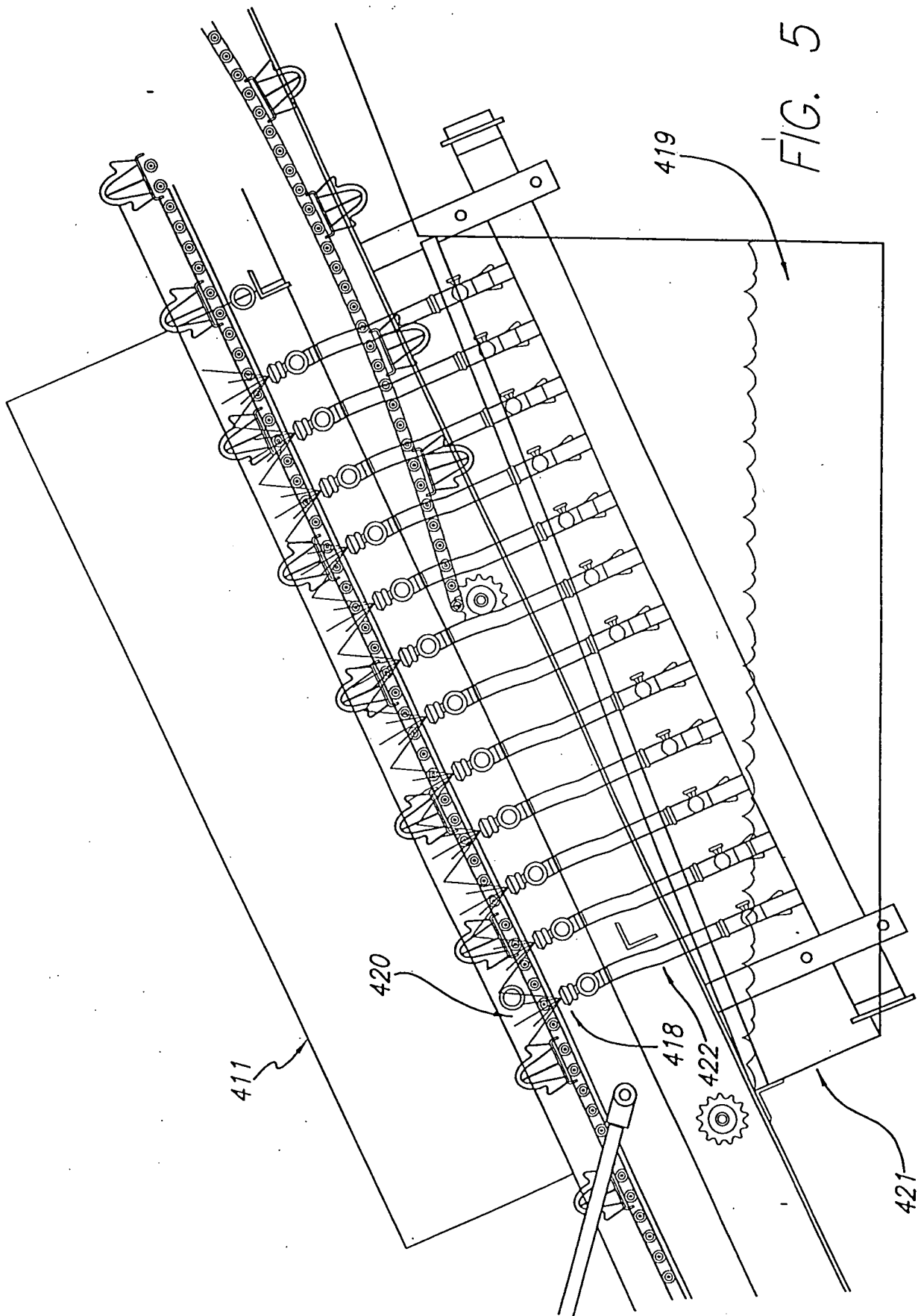
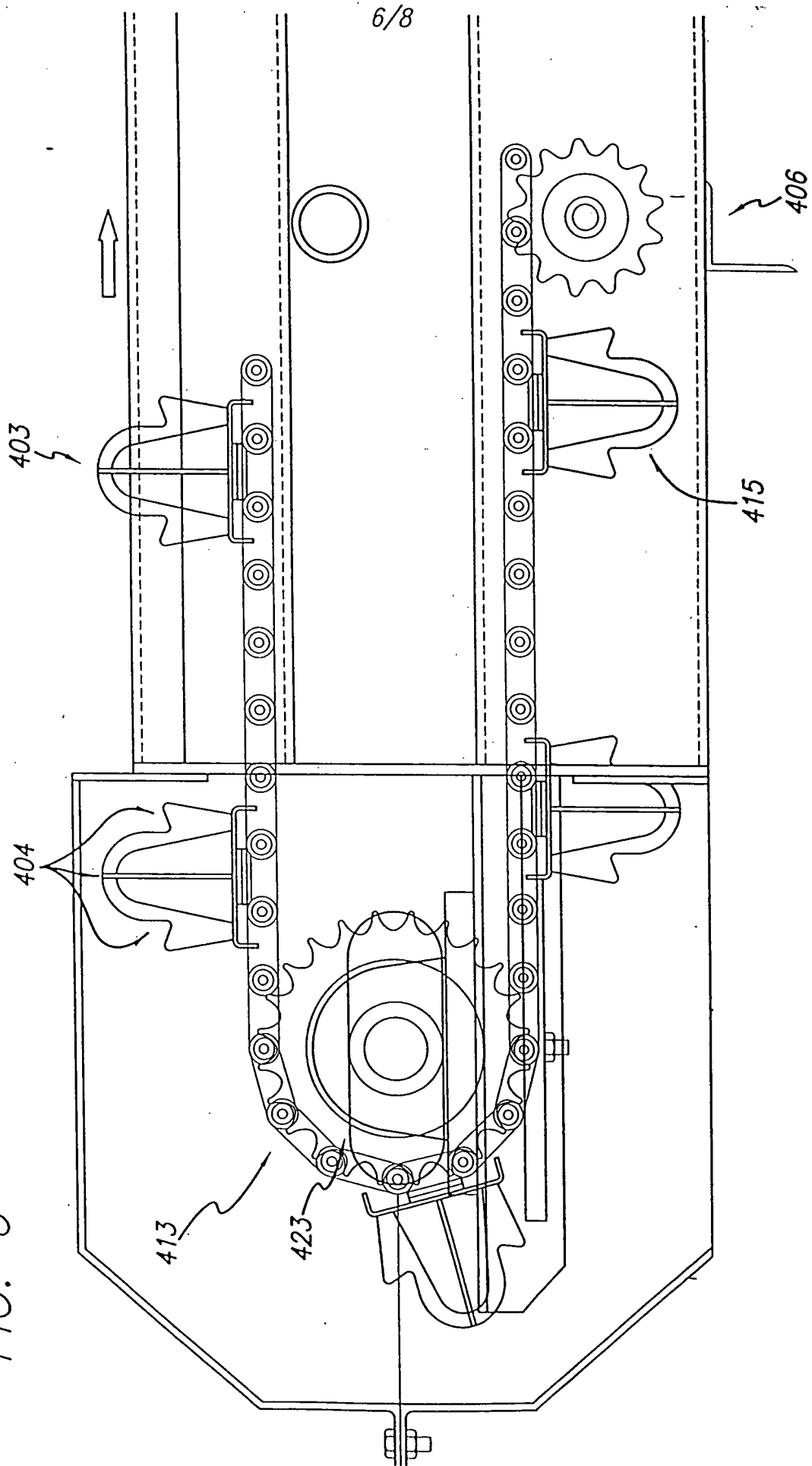


FIG. 6





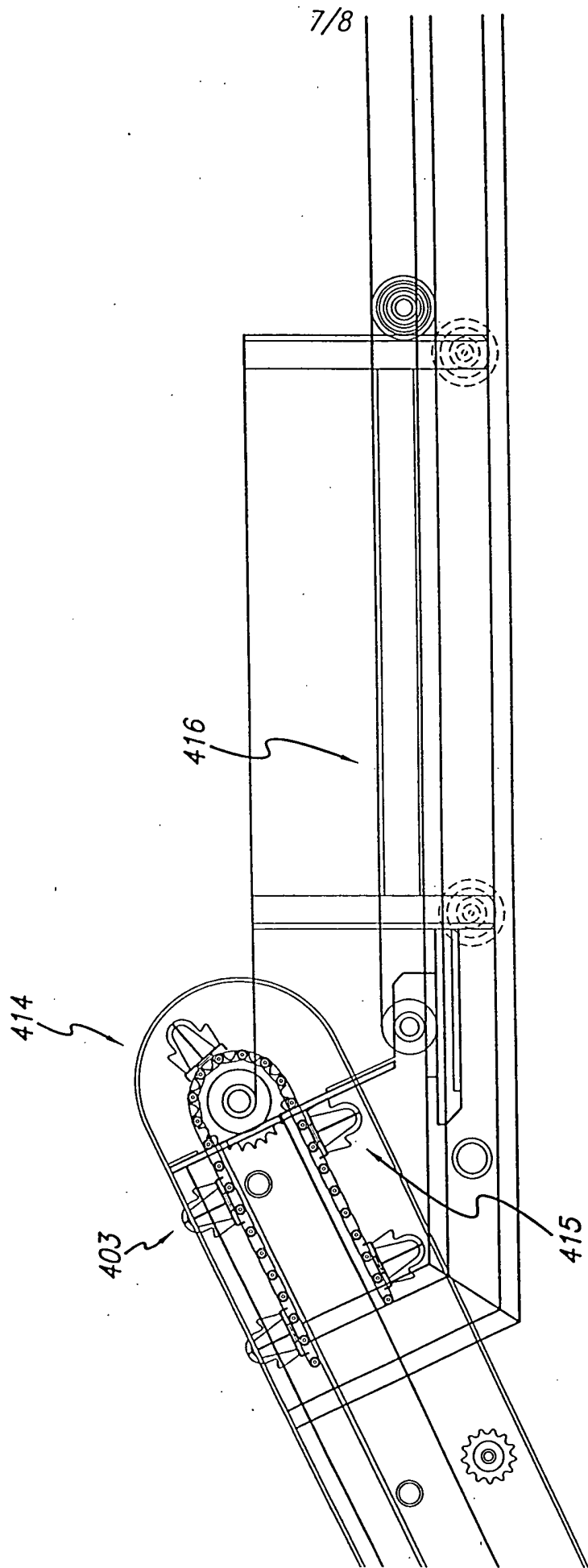


FIG. 7

FIG. 9

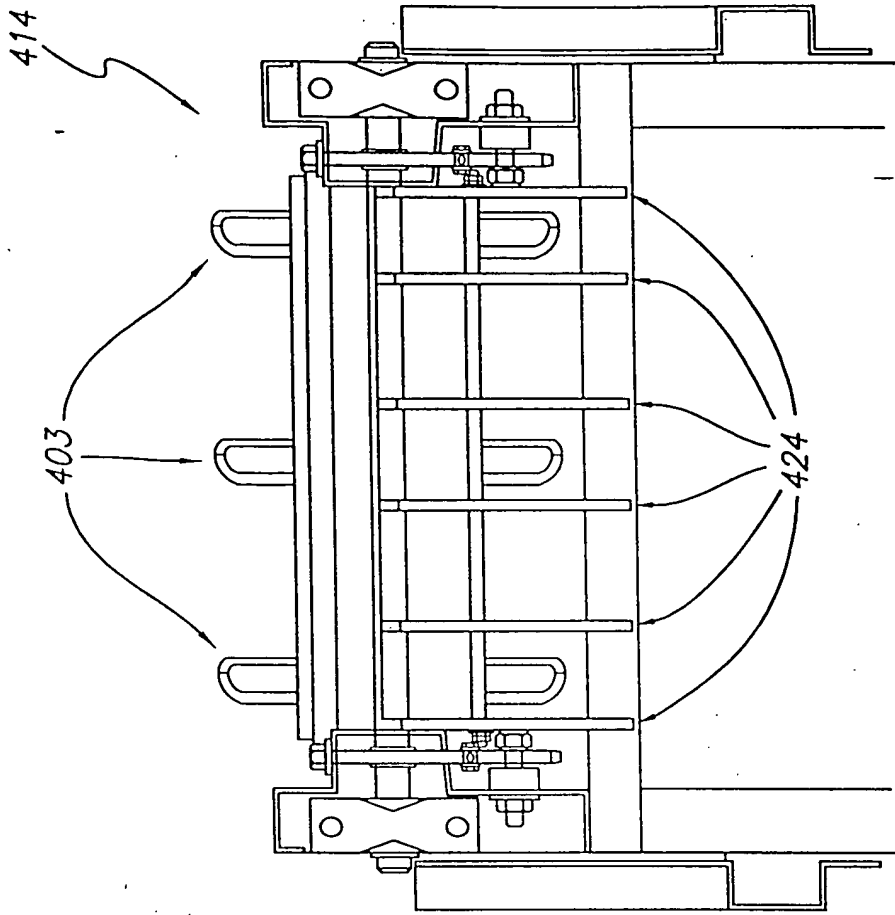
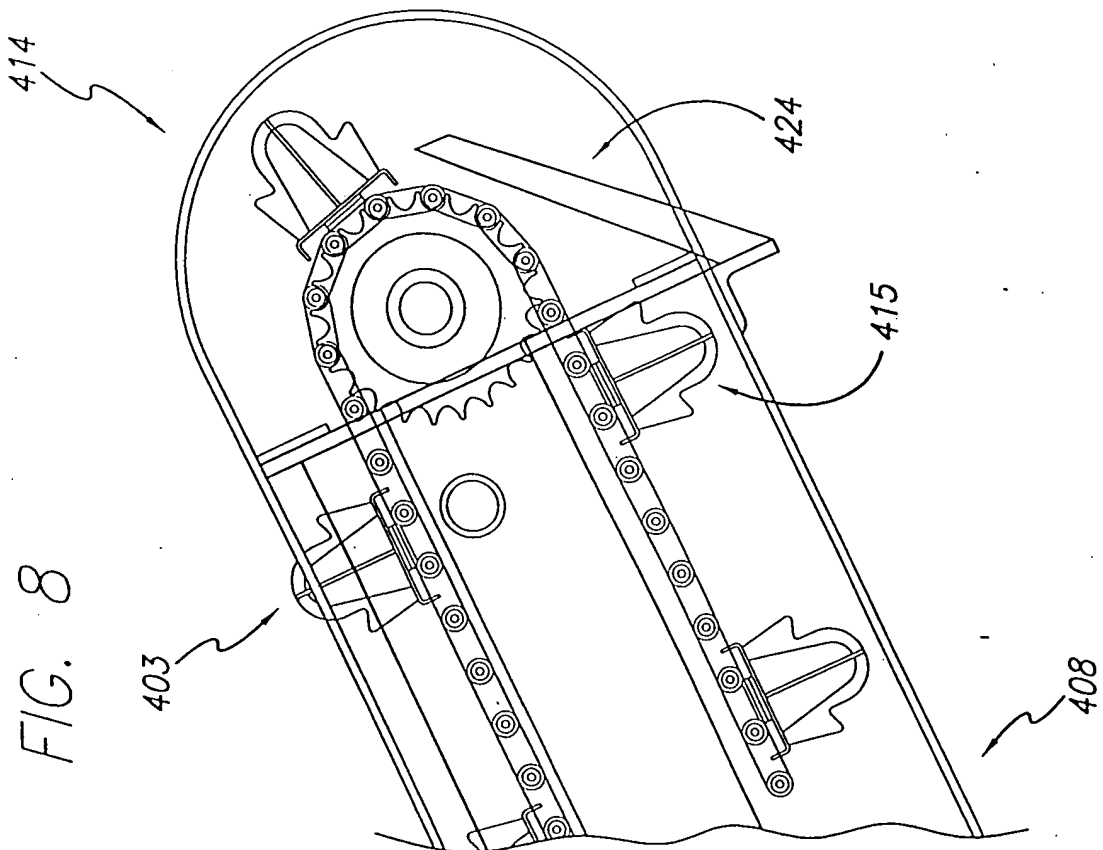


FIG. 8





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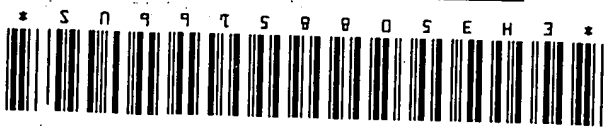
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**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **Richard S. Brown et al.**

Docket No.

**D9359B**

Serial No.

Filing Date

Examiner

Group Art Unit

Invention: **APPARATUS AND METHODS FOR WASHING THE CORED HEADS OF LETTUCE HEADS**

I hereby certify that the following correspondence:

**Utility Patent Application (Continuation) with Preliminary Amendment***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

**December 4, 2003***(Date)***Marta Hodur***(Typed or Printed Name of Person Mailing Correspondence)**Marta Hodur**(Signature of Person Mailing Correspondence)***EH350885166US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**